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**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.
14418

In Re Application Of: **Benjamin E. Reubinoff et al.**

JUL 03 2007

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/808,382	March 14, 2001	Thaian N. Ton	23389	1632	1139

Invention: **EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM**

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of December 29, 2006 in the above-identified application.

Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **December 29, 2006** finally rejecting Claim(s) 39, 44-46, 51, 56-58, 60, 61, 63, 64, 67, 68, 86, 94 and 100-104.

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: March 29, 2007

Date

until: June 29, 2007

Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$250.00

Fee for Extension of Time: \$510.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME:

\$760.00

07/05/2007 RFEKADU1 00000010 09808382

The fee for the Notice of Appeal and extension of time is to be paid as follows: 01 FC:2253

510.00 0P

☒ A check in the amount of **\$760.00** for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. _____ in the amount of _____

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-1013/SSMP**

☒ Any additional filing fees required under 37 C.F.R. 1.16.

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☒ Any patent application processing fees under 37 CFR 1.17.

02 FC:2401

250.00 0P

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-1013/SSMP**

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Group Art Unit
1632

Confirmation No.
1139

Invention: **EMBRYONIC STEM CELLS AND NEURAL PROGENITOR CELLS DERIVED THEREFROM**

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated: **June 29, 2007**

Xiaochun Zhu
Registration No. 56,311
Scully, Scott, Murphy & Presser, P.C.
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Certificate of Transmission by Facsimile*

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on June 29, 2007 (Date) _____ Signature of Person Mailing Correspondence _____	
Typed or Printed Name of Person Mailing Correspondence	

cc: